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OFFICE OF PETITIONS

In re Application of
WALLACE
Application No. 09/625,873
Filed: July 26, 2000
Attorney Docket No. CX099034

DECISION
ON PETITION

This is a decision on a renewed petition under 37 CFR 1.137(b), filed April 11, 2006, to revive the above-identified application¹.

The petition is **GRANTED**.

The application became abandoned for failure to submit the issue fee and corrected drawings in a timely manner in reply to the Notice of Allowance and Fee(s) Due and the Notice of Allowability, mailed August 12, 2005, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on November 15, 2005 (November 12, 2005 being a Saturday).

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that the reply in the form of (1) the issue fee and corrected drawings; (2) the petition fee; and (3) the statement of unintentional delay have been received. Accordingly, the issue fee payment and corrected drawings are accepted as having been unintentionally delayed.

The address given on the petition differs from the address of record. The Change of Correspondence Address Application filed January 19, 2006 is not acceptable because it does not comply with 37 CFR 1.33(a)(2), which states a correspondence address may be changed by the parties set forth in 37 CFR 1.33(b), except for paragraph (b)(2). Practitioners associated with Customer Number 22917 have been given power of attorney for the above-identified application. Mr. Cullen (Registration Number 44,489) is not associated with Customer Number 22917 and, thus, is not one of the parties listed in 37 CFR 1.33(a)(2) that can change the correspondence address for the above-identified application. If appropriate, a change of address should be filed in accordance with 37 CFR 1.33(a)(2) and MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

¹ The petition's heading includes U.S. Application No. 09/827,807, while other papers submitted on April 11, 2006 refer to U.S. Application No. 09/625,873. It is assumed that April 11, 2006 petition was a renewal of the petition to revive U.S. Application No. 09/625,873. If this is an incorrect assumption, petitioner must notify the Office.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4787.

The application matter is being forwarded to Office of Patent Publication.

A handwritten signature in black ink, appearing to read "Denise Pothier", with a long horizontal flourish extending to the right.

Denise Pothier
Petitions Examiner
Office of Petitions

Cc: Larry Cullen
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